



# BERMUDA HOUSE OF ASSEMBLY

## Official House Minutes

*June 13, 2014*

### Electronic Version

**Hon. K. H. Randolph Horton, JP, MP**  
**Speaker**

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**Proceedings  
of the  
Honourable House of Assembly  
Session of 2013-2014**

**No. 24**

**Friday, June 13th, 2014**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Marc A. R. Bean, Glenn A. Blakeney, Walton D. Brown, Derrick V. Burgess, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill. Everard T. Richards, Sylvan D. Richards, Suzann Roberts-Holshouser, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

**10:00 a.m.** Prayer

**Confirmation of Minutes:**

Minutes to the Meeting of May 30th, 2014, were confirmed.

Minutes to the Meeting of June 6th, 2014, were deferred.

**Announcements by the Speaker:**

His Honour the Speaker announced the absence of the following Members L. K. Scott, and W. H. Roban.

His Honour the Speaker also announced the absence our Parliamentary Information Officer Mr. Derek Lamb who is attending a Conference in Montreal.

His Honour the Speaker reminded Members of Standing Order 19(11)e relating to the use of Members names.

**10:09 a.m.**

**Petitions:**

MR. M. A. R. BEAN presented the Petition by the Peoples Campaign requesting the re-introduction of a Gaming Referendum.

**10:10 a.m.**

**Statements by Ministers and Junior Ministers:**

MR. M. H. DUNKLEY made a Ministerial Statement regarding the "Movement Towards Greater Openness and Transparency".

MS. J. J. ATHERDEN made a Ministerial Statement regarding "HIV Awareness Moth".

MR. T. G. MONIZ made a Ministerial Statement regarding The Judgment by the Chief Justice in Carne and Correia case".

**10:15 a.m.**

**Question Period:**

MR. W. L. FURBERT on behalf of Mr. Z. J. S. DeSilva asked Mr. S. G. Crockwell a question relating to a Project Management Company.

MR. E. D. G. BURT asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a second supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a second question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a third question.

MR. S. G. CROCKWELL answered orally to questions from Ms. L. F. Foggo.

MS. L. F. FOGGO asked Mr. S. G. Crockwell a question.

MS. L. F. FOGGO asked Mr. S. G. Crockwell a supplementary question.

MR. W. L. FURBERT asked Mr. S. G. Crockwell a supplementary question.

MS. L. F. FOGGO asked Mr. S. G. Crockwell a second question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a question on his Ministerial Statement regarding the "Movement Towards Greater Transparency".

MR. E. D. G. BURT asked Mr. M. H. Dunkley a supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a supplementary question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a supplementary question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a second supplementary question.

MR. W. L. FURBERT asked Mr. M. H. Dunkley a question.

MR. W. L. FURBERT asked Mr. M. H. Dunkley a supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a second supplementary question.

**10:48 a.m.**

MS. S. E. JACKSON asked Ms. J. J. Atherden a question about her Ministerial Statement on HIV Awareness Month.

MR. M. J. SCOTT asked MR. T. G. MONIZ a question on Naturalization Status in Bermuda.

MR. M. J. SCOTT asked MR. T. G. MONIZ a second question.

MR. M. J. SCOTT asked MR. T. G. MONIZ a supplementary question.

MR. M. J. SCOTT asked MR. T. G. MONIZ a third question.

MS. K. N. WILSON asked MR. T. G. MONIZ a supplementary question.

MR. C. W. D. BROWN asked MR. T. G. MONIZ a question.

MR. C. W. D. BROWN asked MR. T. G. MONIZ a second question.

MR. M. A. R. BEAN asked MR. T. G. MONIZ a second question.

**11:02 a.m.**

**Congratulatory and Obituary Speeches:**

MR. R. W. E. SCOTT sent congratulations to the first female graduates of the Community and Development Program; sent congratulations to CedarBridge Academy Special Olympics Team that participated in a sporting events overseas; sent congratulations to BASA on their National Championship held last weekend and congratulations to HISCOX on their Celebrity Cricket Tournament.

MR. M. J. SCOTT expressed condolences on the passing of Bermuda renowned Diver and Marine Archeologist Mr. Teddy Tucker.

MR. J. C. SOUSA expressed sympathy on the passing of Mrs. L. Frances; associated himself with condolences on the passing of Mr. Teddy Tucker.

MS. L. F. FOGGO associated herself with condolences on the passing of Mr. Teddy Tucker; sent congratulations to participants in Alpha Beautillion held at CedarBridge Academy, and sent congratulations to Mr. Ryan Robinson-Perinchief who was the overall winner.

DR. E. G. GIBBONS associated himself with condolences on the passing of Mr. Teddy Tucker; associated himself with congratulating the young men who participated in the Alpha Beautillion held at CedarBridge Academy; sent congratulations to the 11 new teacher inductees.

His Honour the Speaker acknowledged former Member of Parliament and Minister Hon. Neletha Butterfield in the Public Gallery.

MR. W. L. FURBERT associated himself with congratulating Mr. Ryan Robinson-Perinchief; sent congratulations to Mr. Zane Desilva on his thirty-second anniversary.

MR. E. T. RICHARDS congratulated former MP Mr. Dale Butler on his play "Climbing Jacob's Ladder"; associated Mr. C. W. Brown; associated himself with condolences on the passing of Mr. Teddy Tucker who he described as a national treasure.

MS. S. E. JACKSON associated herself with congratulating Friends of Bermuda Library on the rewrite Bermuda Program.

MS. P. J. GORDON-PAMPLIN associated herself with condolences for the Tucker family; associated herself with congratulations for HISCOX; associated herself with congratulating the winners of the swim meet and the rugby event held recently; congratulations to the Parks Department on the celebration of the 400th year of Fort St. Catherine; sent condolences to the family of the late Mr. Earl Furbert, known informally as the "Duke of Earl".

MR. M. H. DUNKLEY associated himself with condolences for the Tucker family; associated himself with congratulations for HISCOX; congratulations to graduates of Gilbert Institute who graduated from a great program.

MR. S. G. CROCKWELL associated himself with congratulating Mr. Ryan Robinson-Perinchief.

**11:45a.m.**

**Personal Explanations:**

MR. C. W. D. BROWN made a personal explanation on the floor of the House.

**Introduction of Bills:**

MR. E. T. RICHARDS introduced and read for the first time by its title the Bill entitled the "Public Treasury (Administration and Payments) Amendment Act 2014".

**12:00 p.m.**

**Orders of the Day:**

Order numbers 1-3 were carried over to the next day of business.

On the motion of MS. J. J. ATHERDEN, the Bill entitled the "Protected Species Amendment Act 2014" was then read a second time.

12:02 p.m. - MR. G. A. BLAKENEY

His Honour the Speaker recognized Senator Jeff Baron, who was sitting in the Speakers Gallery.

12:09 p.m. - MR. J. C. SOUSA

12:11 p.m. - MR. M. A. R. BEAN

12:19 p.m. - MS. S. ROBERTS-HOLSHOUSER

12:24 p.m. - MS. J. J. ATHERDEN

**12:25 p.m.**

MR. T. G. MONIZ moved that the House do now recess for lunch, which was agreed to.

His Honour the Speaker ordered that the House resume for business at 2:00 p.m.

**2:00 p.m.**

The House Resumed.

The Bill was committed.

2:01 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MS. J. J. ATHERDEN moved clauses 1-9 of the Bill

2:08 p.m. - MR. M. A. R. BEAN

Clauses 1 – 9, as printed, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

**2:10 p.m.**

The House agreed to consider order numbers 5, 6 and 7 all together.

MR. S. D. RICHARDS moved for Consideration of the "Deed of Surrender between Par-la-Ville Hotel and Residences Ltd. ("the Tenant"), the Corporation of Hamilton ("the Landlord") and Mexico Infrastructure Finance LLC ("the Mortgagee")', the 'Mortgage Deed between Mexico Infrastructure Finance LLC ("the Lender"), Par-la-Ville Hotel and Residences Ltd. ("the Borrower") and the Corporation of Hamilton ("the Mortgagor")' and the "Guaranty by the Corporation of Hamilton ("the Guarantor") in respect of the loan by Mexico Infrastructure Finance LLC ("the Lender") to Par-la-Ville Hotel and Residences Ltd. ("the Borrower")", which was agreed to.

2:15 p.m. - MR. C. W. D. BROWN  
 2:30 p.m. - DR. E. G. GIBBONS  
 2:32 p.m. - MR. G. A. BLAKENEY  
 2:44 p.m. - MR. T. G. MONIZ  
 2:46 p.m. - MR. W. L. FURBERT  
 2:52 p.m. - MR. S. D. RICHARDS

MR. S. D. RICHARDS moved that the 3 Agreements be approved and that the following messages be sent to His Excellency the Governor:

(No.18)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under Consideration the 'Guaranty by the Corporation of Hamilton ("the Guarantor") in respect of the loan by Mexico Infrastructure Finance LLC ("the Lender") to Par-la-Ville Hotel and Residences Ltd. ("the Borrower")', as set out in the draft of the Guaranty agreement, has the honour to inform Your Excellency that the House has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 and Section 37(1) of The Municipalities Act 1923.

(No.19)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under Consideration the 'Deed of Surrender between Par-

la-Ville Hotel and Residences Ltd. ("the Tenant"), the Corporation of Hamilton ("the Landlord") and Mexico Infrastructure Finance LLC ("the Mortgagee")', as set out in the draft of the Deed of Surrender, has the honour to inform Your Excellency that the House has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 of The Municipalities Act 1923.

(No.20)

TO HIS EXCELLENCY THE GOVERNOR:

The House of Assembly, having had under Consideration the 'Mortgage Deed between Mexico Infrastructure Finance LLC ("the Lender"), Par-la-Ville Hotel and Residences Ltd. ("the Borrower") and the Corporation of Hamilton ("the Mortgagor")', as set out in the draft of the Mortgage Deed, has the honour to inform Your Excellency that the House has approved the said Agreement in accordance with the provisions of subsections (1A) and (1B) of Section 20 of The Municipalities Act 1923.

- which was agreed to.

Order numbers 8-15 were carried over to the next meeting day.

**3:25 p.m.**

MR. T. E. LISTER moved that the following motion to be now taken under consideration:-

"That this Honourable House approves the Report of the Parliamentary Joint Select Committee on the Adoption of a Mandatory Random Drug Testing Policy for Members of the Legislature."

3:26 p.m. - MR. J. C. SOUSA  
 3:31 p.m. - MR. C. W. D. BROWN  
 4:00 p.m. - MR. M. J. PETTINGILL  
 4:20 p.m. - MR. M. A. R. BEAN  
 4:30 p.m. - MR. M. J. SCOTT  
 4:50 p.m. - MS. P. J. GORDON-PAMPLIN  
 5:10 p.m. - MS. S. E. JACKSON  
 5:15 p.m. - MS. S. ROBERTS-HOLSHOUSER  
 5:20 p.m. - MR. T. E. LISTER

- which on division was agreed to by voice vote.

MS. J. J. ATHERDEN moved that Standing Order 21 be suspended to enable her to move that the Bill entitled "Protected Species Amendment Act 2014" be now read the third time, which was agreed to.

On the motion of MS. J. J. ATHERDEN, the Bill entitled the "Protected Species Amendment Act 2014" was then read the third time and passed.

**5:50 p.m.**

MR. M. H. DUNKLEY moved that at its rising, the House, adjourn to Friday, June 27th 2013 at 10:00 a.m., which was agreed to.

MR. M. H. DUNKLEY moved that the House do now adjourn, which was agreed to.

5:32p.m. - MR. Z. J. S. DESILVA

5:48p.m. - MR. S. G. CROCKWELL

6:00p.m. - MR. M. A. R. BEAN

6:01p.m. - MR. M. H. DUNKLEY

**6:03 p.m.**

Adjourned to Friday, June 27, 2014